

REMARKS

Claims 1-44 are pending in the Application. The Specification is objected to. Claims 1-4, 7, 10-13, 16-19, 22, 25-28, 31-34, 37 and 40-42 are rejected under 35 U.S.C. §103(a). Claims 5-6, 8-9, 14-15, 20-21, 23-24, 29-30, 35-36, 38-39 and 43-44 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants cancelled claims 14, 29 and 43 without prejudice or disclaimer and reserve the right to file a continuation application to capture the cancelled subject matter. Hence, claims 1-13, 15-28, 30-42 and 44 are pending. Applicants amended claims 1, 4, 5, 8, 9, 11, 12, 15, 16, 18, 19, 20, 23, 24, 25, 26, 27, 30, 31, 34, 35, 38, 39, 40, 41 and 44 as indicated above. A more complete description of these amendments is provided below. Furthermore, Applicants amended claims 1, 16 and 31 by incorporating the limitations of objected to claims 14, 29 and 43, respectively. Accordingly, Applicants respectfully assert that claims 1-13, 15-28, 30-42 and 44 are allowable.

Applicants note that claims 1, 16 and 31 were amended to include the limitations of 14, 29 and 43, respectively, not to overcome prior art but to expedite the issuance of the present application. Applicants further note that claims 4, 5, 8, 9, 11, 12, 15, 19, 20, 23, 24, 26, 27, 30, 34, 35, 38, 39, 40, 41 and 44 were not amended to overcome prior art but to provide consistency with the amendments to claims 1, 16 and 31 incorporating the limitations of claims 14, 29 and 43, respectively. Applicants further note that claims 16, 25 and 31 were not amended to overcome prior art but to at least partially broaden the scope of the claims to capture the subject matter that Applicants are entitled. Claim 18 was not amended to overcome prior art but to provide consistency with the amendments to claim 16. Hence, no prosecution history estoppel arises from the amendments to claims 1, 4, 5, 8, 9, 11, 12, 15, 16, 18, 19, 20, 23, 24, 25, 26, 27, 30, 31, 34, 35, 38, 39, 40, 41 and 44. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-12 (2002); 56 U.S.P.Q.2d

1865, 1870 (Fed. Cir. 2000). Further, the amendments made to claims 1, 4, 5, 8, 9, 11, 12, 15, 16, 18, 19, 20, 23, 24, 25, 26, 27, 30, 31, 34, 35, 38, 39, 40, 41 and 44 were not made for a substantial reason related to patentability and therefore no prosecution history estoppel arises from such amendments. *See Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

Applicants thank the Examiner for discussing the rejection to claim 1 on June 29, 2005 with Applicants' attorney, Robert Voigt.

I. OBJECTIONS TO THE SPECIFICATION:

The Examiner has objected to the Specification because attorney docket numbers are listed on page 1, line 5 and par 14, lines 12-13 of the Specification. Paper No. 3, page 2. Applicants have amended the Specification by replacing the attorney docket numbers with appropriate serial numbers as indicated above. Applicants respectfully request the Examiner to withdraw the objections to the Specification.

II. REJECTIONS UNDER 35 U.S.C. 103(a):

The Examiner has rejected claims 1-4, 7, 10, 12-13, 31-34, 37 and 41-42 . §103(a) as being unpatentable over Goldstone (U.S. Publication No. 2002/0101819) in view of Shanklin et al. (U.S. Publication No. 2002/0133586) (hereinafter "Shanklin"). The Examiner has further rejected claims 11 and 40 under 35 U.S.C. §103(a) as being unpatentable over Goldstone in view of Shanklin and in further view of Lammle (CCNA Cisco Certified Network Associate, Second Edition). The Examiner has further rejected claims 16-19, 22, 25 and 27-28 under 35 U.S.C. §103(a) as being unpatentable over Goldstone in view of Shanklin and in further view of Smith (U.S. Patent No. 5,878,224). The Examiner has further rejected claim 26

under 35 U.S.C. §103(a) as being unpatentable over Goldstone in view of Shanklin in further view of Smith and in further view of Lammle.

Applicants respectfully assert that these rejections are moot in light of amending claims 1, 16 and 31 by incorporating the limitations of objected to claims 14, 29 and 43, respectively.

III. ALLOWABLE SUBJECT MATTER:

Applicants thank the Examiner for the indication of allowability of claims 5-6, 8-9, 14-15, 20-21, 23-24, 29-30, 35-36, 38-39 and 43-44. Paper No. 3, page 19. Applicants have amended claims 1, 16 and 31 by incorporating the limitations of objected to claims 14, 29 and 43, respectively. Consequently, claims 1-13, 15-28, 30-42 and 44 are allowable.

IV. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-13, 15-28, 30-42 and 44 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

By:

Robert A. Voigt, Jr.
Reg. No. 47,159
Kelly K. Kordzik
Reg. No. 36,571

P.O. Box 50784
Dallas, TX 75201
(512)370-2832

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